

Amendment dated February 15, 2008  
Reply to Office Action dated December 3, 2007

Application No. 10/774,780  
Docket No. Z-3603/Case 8144

#### REMARKS

##### Claim Status

Claims 22, 28, 38, 39, 43 and 44 are pending in the present application. No additional claim fee is believed to be due. Claims 1-21, 23-27, 29-37 and 40-42 have been previously cancelled.

Claims 22 and 38 have been amended. Claims 22 and 38 have been amended to clarify that the steps are performed in the order in which they are listed. Additionally, Claims 22 and 38 have been amended to recite that the blades are movable in the slots during shaving. Support for these amendments can be found in Applicant's specification at page 5, lines 15-17.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order.

##### Rejection Under 35 USC §102(b) Over Francis (US Patent 4,516,321)

Claims 22 and 28 are rejected under 35 USC §102(b) over Francis. Applicant traverses this rejection.

Francis does not disclose or suggest ... the steps, in the order of ... providing a housing ... providing a plurality of elongated metal razor blades...providing a first plastic block having slots ... providing a second plastic block having slots ... securing said first longitudinal ends in said slots in said first plastic block and said second longitudinal ends in said slots in said second plastic block ... and said blades and blocks provide an integrated blade subassembly, wherein said blades are movable in said slots during shaving ...and inserting said integrated subassembly into the rectangular recess wherein said guard member is in front of said blades ... as recited in Applicant's newly amended base Claim 22.

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The Office Action states that Francis' slot forming and blade insertion steps are performed simultaneously. Francis discloses a blade unit wherein end links 19 are molded about the end portions of wire blade supports 10. This is in contrast to the method of independent claim 22 where the steps are placed in order, e.g. first and second plastic blocks are provided and the longitudinal ends of the blades are secured within slots located in the first and second plastic blocks. By providing the plastic blocks first, separately, one is able to adjust the slot size to provide the desired amount of freedom of movement of the blade ends within the blocks.

Furthermore, Francis provides no description or suggestion of ... said blades are movable in said slots during shaving... as recited in base claim 22. The Office Action points to Francis col. 2, lines 55-62 as disclosure of Francis' slots allowing for blade movement in the slots. Applicant asserts that while the Francis "links may yield locally to permit small movements of the respective end portions" (col. 2, lines 59-60), these small movements are not described as affecting the movement of the blades, but rather only the end portions. Furthermore, these "small movements" occur only if the links 19 are made of elastomeric material (Francis, col. 2, line 55-62) which is contrast to Applicant's claims which recite "first plastic block" and "second plastic block." Clearly, Francis teaches away from Applicant's claimed invention and does not anticipate it.

Accordingly, Applicant's base claim 22 and claim 28, which depends from claim 22, are patentable over Francis and the rejection should be withdrawn.

Rejection Under 35 USC §103(a) Over Francis (US Patent 4,516,321)

Claims 22, 28, 38 and 43 are rejected under 35 USC §103(a) as being unpatentable over Francis. This rejection is traversed.

As discussed above, Francis does not teach or suggest all of the claim limitations of Claims 22 and 28, and, therefore, does not establish a *prima facie* case of obviousness (see MPEP 2143.03). Likewise, Francis does not teach or suggest all of the claim limitations of dependant Claim 43 for reasons discussed above in conjunction with base Claim 22. Furthermore, as will be discussed below, Francis does not describe or suggest

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the limitation ... wherein no part of said integrated blade subassembly extends beyond an outer surface of said first and second blocks...as recited in dependant Claim 43.

Francis neither describes nor suggests ... wherein no part of said integrated blade subassembly extends beyond an outer surface of said first and second blocks...as recited in Applicant's base Claim 38 (and similarly in dependant Claim 43). The Office Action states, on page 3, that, "nothing projects past the right side of the surface 19A" in Francis' Fig. 8. However, Applicant asserts that Francis' Fig. 8 quite clearly depicts, regardless of the removal of guard and cap members 16 and 17, outermost end portions 13 (which are described at Francis, col. 2, lines 13-19 as being part of the blade unit), as extending past an outer surface of end links 19.

Applicant interprets the language at page 2, paragraph 2 of the Office Action as equating Francis' links 19 with Applicant's "plastic blocks" and hence, Applicant argues that the recitation "the outer surface of first and second blocks" would therefore relate to the outer surface of link 19 and not the outer surface of stud 19A.

Francis states that 19A is a stud to "assist in correct location of the unit on the razor head" (see Francis, col. 3, lines 66-67) and as such Applicants argue stud 19A is not a part of link 19.

Accordingly, Applicant's Claims 22, 28, 38 and 43 are patentably distinct over the prior art reference under 35 USC §103(a) and the rejection should be removed.

Rejection Under 35 USC §103(a) Over Francis (US Patent 4,516,321) in view of Santhagans Van Eibergen (US Patent 6,671,961)

Claims 22, 28, 38, 39, 43, and 44 stand rejected under 35 USC §103(a) as being unpatentable over Francis in view of Santhagans Van Eibergen. This rejection is traversed.

The combination of Francis and Santhagans Van Eibergen fails to create a *prima facie* case of obviousness as Santhagans Van Eibergen fails to provide the missing

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elements of Francis mentioned above with respect to base claim 22 from which claims 28, 39 and 43 depend, and with respect to base claim 38 from which claim 44 depends.

Santhagans Van Eibergen provides no description or suggestion of ... said blades are movable in said slots during shaving... as recited in base claims 22 and 38. Santhagans Van Eibergen's blades are fixed in the subframe and the movement that occurs involves only the subframe. The subframe is secured to the main frame by means of a mechanical spring unit, such that the subframe can follow the contours of the skin surface. (Santhagans Van Eibergen, col. 4, lines 40-67).

As such, claims 22, 28, 38, 39, 43, and 44 are patentable over Francis in view of Santhagans Van Eibergen under 35 USC §103(a) and the rejection should be withdrawn.

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### CONCLUSION

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of the pending claims is respectfully requested.

Respectfully submitted,

THE GILLETTE COMPANY

By   
Signature

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